

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES HARRY HODSON, III,	)	
	)	
Petitioner,	)	
	)	
v.	)	C. A. No. 05-92 Erie
	)	
MARILYN BROOKS, et al.,	)	
	)	
Respondents.	)	

**ORDER**

AND NOW, upon consideration of the petitioner's objections to Chief Magistrate Judge Baxter's report and recommendation in the above captioned case, it is hereby ordered that the objections are GRANTED. A writ of habeas corpus shall issue forthwith vacating petitioner's conviction in Crawford County Court of Common Pleas case number 1999-868. Petitioner shall be released from the Pennsylvania Department of Corrections forthwith.

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SEAN J. McLAUGHLIN  
United States District Judge